

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MYRON WARD,)	
)	
v.)	C.A. No. 04-11 Erie
)	District Judge McLaughlin
JOHN J. LAMANNA, et al.,)	Magistrate Judge Baxter
Defendants.)	

ORDER

AND NOW, this 30th day of November, 2005:

IT IS HEREBY ORDERED that Plaintiff's motion for the appointment of counsel [Document # 33] is GRANTED.

IT IS FURTHER ORDERED that Defendants' motion to dismiss [Document # 35] is DISMISSED without prejudice.

IT IS FURTHER ORDERED that Plaintiff, now represented by counsel, may file his amended complaint on or before January 20, 2006.

IT IS FURTHER ORDERED that Defendants file either an answer or a dispositive motion in response to the amended complaint before February 17, 2006.

IT IS FURTHER ORDERED that Plaintiff may file a reply brief before March 3, 2006.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
Chief United States Magistrate Judge